

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of FRC, LLC, for a Certificate of Public Convenience and Necessity to Provide Local Exchange and Exchange Access Services throughout the State of South Carolina and Request for Flexible Regulation

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: _____ - _____ - _____

(Please type or print)

Submitted by: Sue-Ann Gerald Shannon

SC Bar Number: 71181

Address: McNair Law Firm, P.A.

Telephone: 803-799-9800

P O Box 11390

Fax: 803-753-3219

Columbia, SC 29211

Other:

Email: sshannon@mcnair.net

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition☐ Request for item to be placed on Commission's Agenda expeditiously☒ Other: Confidential Treatment of Financial Documents

INDUSTRY (Check one)

- ☐ Electric
☐ Electric/Gas
☐ Electric/Telecommunications
☐ Electric/Water
☐ Electric/Water/Telecom.
☐ Electric/Water/Sewer
☐ Gas
☐ Railroad
☐ Sewer
☒ Telecommunications
☐ Transportation
☐ Water
☐ Water/Sewer
☐ Administrative Matter
☐ Other: _____

NATURE OF ACTION (Check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> Affidavit | <input checked="" type="checkbox"/> Letter | <input type="checkbox"/> Request |
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Memorandum | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Answer | <input checked="" type="checkbox"/> Motion | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Appellate Review | <input type="checkbox"/> Objection | <input type="checkbox"/> Resale Agreement |
| <input type="checkbox"/> Application | <input type="checkbox"/> Petition | <input type="checkbox"/> Resale Amendment |
| <input type="checkbox"/> Brief | <input type="checkbox"/> Petition for Reconsideration | <input type="checkbox"/> Reservation Letter |
| <input type="checkbox"/> Certificate | <input type="checkbox"/> Petition for Rulemaking | <input type="checkbox"/> Response |
| <input type="checkbox"/> Comments | <input type="checkbox"/> Petition for Rule to Show Cause | <input type="checkbox"/> Response to Discovery |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition to Intervene | <input type="checkbox"/> Return to Petition |
| <input type="checkbox"/> Consent Order | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation |
| <input type="checkbox"/> Discovery | <input type="checkbox"/> Prefiled Testimony | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Exhibit | <input type="checkbox"/> Promotion | <input type="checkbox"/> Tariff |
| <input type="checkbox"/> Expedited Consideration | <input type="checkbox"/> Proposed Order | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest | |
| <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit | |
| <input type="checkbox"/> Late-Filed Exhibit | <input type="checkbox"/> Report | |

Print Form

Reset Form

MCNAIR LAW FIRM, P.A.

ATTORNEYS AND COUNSELORS AT LAW

SUE-ANN GERALD SHANNON
sshannon@mcnair.net

www.mcnair.net

THE TOWER AT 1301 GERVAIS
1301 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201

POST OFFICE BOX 11390
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE (803)799-9800
FACSIMILE (803) 753-3219

February 12, 2008

Mr. Charles L. A. Terreni
Chief Clerk and Administrator
South Carolina Public Service Commission
Synergy Business Park, The Saluda Building
101 Executive Center Drive
Columbia, South Carolina 29210

RE: Application of FRC, LLC, for a Certificate of Public Convenience and Necessity to Provide Local Exchange and Exchange Access Services throughout the State of South Carolina and Request for Flexible Regulation Docket No. 2008-____-C

Dear Mr. Terreni:

Please find attached on behalf of FRC, LLC, a Motion for Protective Treatment of Financial Documents in the above-referenced matter. We are filing under seal through hand delivery Confidential Exhibit C to the above-referenced application. If you have any questions or need further information, please do not hesitate to contact me.

Sincerely,



Sue-Ann Gerald Shannon

cc: Mr. C. Dukes Scott, Office of Regulatory Staff

Enclosures

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. _____

IN RE:

Application of FRC, LLC, for a Certificate of Public)
Convenience and Necessity to Provide Local Exchange)
and Exchange Access Services throughout the State of South)
Carolina and Request for Flexible Regulation)
_____)

MOTION FOR PROTECTIVE TREATMENT
OF FINANCIAL STATEMENTS

FRC, LLC ("FRC") respectfully requests that the South Carolina Public Service Commission ("the Commission") treat as confidential the audited financial statements for the periods ended December 31, 2006, as well as the unaudited financial statements for the period ended December 31, 2007, which are attached hereto as Confidential Exhibit C to its Application. This motion is made on the following grounds:

1. The Applicant's legal name, address, telephone number, and facsimile number are as follows:

FRC, LLC
1500 Hampton Street, Suite 100
Columbia, South Carolina 29201
Telephone: (803) 726-4080
Facsimile: (803) 771-0698

2. Correspondence regarding this Motion should be addressed to Movant's counsel:

M. John Bowen, Jr., Esq.
Sue-Ann Gerald Shannon, Esq.
McNAIR LAW FIRM, P.A.
Post Office Box 11390
Columbia, South Carolina 29211
Telephone: (803) 799-9800
Facsimile: (803) 753-3219
Email: jbowen@mcnair.net; sshannon@mcnair.net

3. The above-captioned Application requires FRC to disclose certain financial information that it is financially fit to provide the services proposed in the Application. This information is contained within Confidential Exhibit C to FRC's Application. This information, however, is entitled to confidential protection pursuant to S.C. Code Ann. §§ 39-8-10 *et seq.*, and S.C. Code Ann. Regs. 103-804(S)(2).

4. Certain commercially-sensitive and proprietary business information is exempt from public disclosure. The accompanying financial information contains proprietary business information relating directly to FRC's financial operations and falls within the definition of materials which may be exempted from disclosure. As a privately-held company, FRC does not make this information available to the public. Disclosure of such commercially-sensitive information would be harmful in light of the more competitive telecommunications environment and, therefore, it is not appropriate to make this information publicly available. Access could give actual and potential competitors an unfair competitive advantage. As such, FRC's financial statements are "trade secrets" as defined in S.C. Code Ann. § 39-8-20(5).

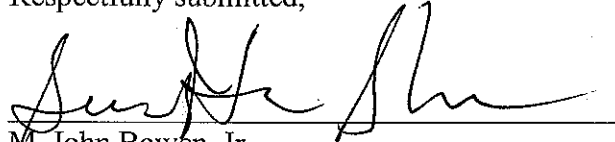
5. Confidential treatment of the financial documents is consistent with the Commission's prior rulings and prior treatment of similar information.

6. In accordance with Commission guidelines, as set out in Commission Order No. 2005-226, "Order Requiring Designation of Confidential Materials," the accompanying materials are contained in a separate, sealed envelope with each page marked "Confidential" in red ink.

7. FRC understands that confidential and protective treatment will not extend to documents required to be filed with ORS, such as Universal Service Fund worksheets, annual reports, and gross receipts reports.

WHEREFORE, FRC respectfully requests that the Commission grant this Motion and treat as confidential the information contained in Confidential Exhibit C to FRC's Application for a Certificate of Public Convenience and Necessity to Provide Local Exchange and Exchange Access Services throughout the State of South Carolina and Request for Flexible Regulation.

Respectfully submitted,



M. John Bowen, Jr.

Sue-Ann Gerald Shannon

MCNAIR LAW FIRM, P.A.

Post Office Box 11390

Columbia, South Carolina 29211

Telephone: (803) 799-9800

Facsimile: (803) 753-3219

jbowen@mcnair.net; sshannon@mcnair.net

Attorneys for FRC, LLC

February 12, 2008
Columbia, South Carolina.

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

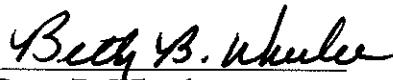
DOCKET NO. _____

IN RE:

Application of FRC, LLC, for a Certificate of)	
Public Convenience and Necessity to Provide)	CERTIFICATE
Local Exchange and Exchange Access Services)	OF
throughout the State of South Carolina and)	SERVICE
Request for Flexible Regulation)	

This is to certify that I, Betty B. Wheeler, have this date served one (1) copy of the **Motion for Protective Treatment of Financial Documents, with accompanying materials filed under Seal**, to the person named below by causing said copies to be **hand-delivered** and addressed as shown:

C. Dukes Scott
Executive Director
Office of Regulatory Staff
1441 Main Street
Suite 300
Columbia, SC 29201


Betty B. Wheeler

February 12, 2008

Columbia, South Carolina